

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKHERITAGE INTEGRITY INVESTMENT
TRUST,

Plaintiff,
-against-
COMPUTERSHARE TRUST COMPANY,
N.A. *et al.*,
Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 12/16/2024

24-CV-9309 (JPC) (BCM)

**ORDER REGARDING GENERAL
PRETRIAL MANAGEMENT****BARBARA MOSES, United States Magistrate Judge.**

The above-referenced action has been referred to Magistrate Judge Barbara Moses for general pretrial management, including scheduling, discovery, non-dispositive pretrial motions, and settlement, pursuant to 28 U.S.C. § 636(b)(1)(A). All pretrial motions and applications, including those related to scheduling and discovery (but excluding motions to dismiss or for judgment on the pleadings, for injunctive relief, for summary judgment, or for class certification under Fed. R. Civ. P. 23) must be made to Judge Moses and in compliance with this Court's Individual Practices in Civil Cases, available on the Court's website at <https://nysd.uscourts.gov/hon-barbara-moses>.

Notices of Appearance

The Court is in receipt of the proposed stipulation and scheduling order between plaintiff and defendants Computershare Trust Company, N.A., Broadridge Financial Solutions, Broadridge Corporate Issuer Solutions, Inc., and Transfer Online, Inc. (Dkt. 8.) However, of these parties, only defendant Computershare Trust Company is represented by an attorney who has appeared in this action.

No later than **December 20, 2024**:

1. Attorney Platt (*see* Dkt. 8 at 2) (or another attorney admitted to practice in this Court) must enter a notice of appearance on plaintiff's behalf;

2. Attorney Jay (*see* Dkt. 8 at 3) (or another attorney admitted to practice in this Court) must enter a notice of appearance on behalf of defendants Broadridge Financial Solutions and Broadridge Corporate Issuer Solutions, Inc.; and
3. Attorney Shechter (*see* Dkt. 8 at 3) (or another attorney admitted to practice in this Court) must enter a notice of appearance on behalf of defendant Transfer Online, Inc.

Defendant Isaac Cain

Thus far, defendant Isaac Cain is proceeding pro se in this action.

1. Pro se parties may file pleadings, letters, and other documents with the Court by using any of the following methods:
 - a. **Drop off** the documents in the drop box located in the lobby of the U.S. Courthouse at 500 Pearl Street, New York, NY, 10007.
 - b. **Mail** the documents to the Pro Se Intake Unit at 500 Pearl Street, Room 205, New York, New York, 10007.
 - c. **Email** the documents to ProSe@nysd.uscourts.gov. Instructions for filing documents by email may be found on the Court's website at <https://www.nysd.uscourts.gov/prose>.

2. Mr. Cain is advised that pro se parties who have an email address and wish to receive, serve, and file case-related documents electronically may request permission to do so by filing a Motion for Permission for Electronic Case Filing, available from the Pro Se Intake Unit or at: <https://nysd.uscourts.gov/forms/motion-permission-electronic-case-filing-pro-se-cases>.

Defendant Ruwack Irrevocable Trust

Defendant Ruwack Irrevocable Trust (Ruwack) cannot appear in this action pro se. *See Lattanzio v. COMTA*, 481 F.3d 137, 139 (2d Cir. 2007) ("[A] layperson may not represent a separate legal entity such as a corporation."). It must be represented by an attorney admitted to

practice in this Court. Ruwack's attorney must enter a notice of appearance on its behalf no later than **December 20, 2024**.

The Court notes that neither Ruwack nor Cain is a party to the proposed stipulation and scheduling order. (Dkt. 8.) If either of them has an objection to the schedule set forth therein, they must file a letter setting forth that objection no later than **December 20, 2024**.

General Pretrial Management

Parties and counsel are cautioned:

1. Once a discovery schedule has been issued, all discovery must be initiated in time to be concluded by the close of discovery set by the Court.

2. Discovery applications, including letter-motions requesting discovery conferences, must be made promptly after the need for such an application arises and must comply with Local Civil Rule 37.2 and § 2(b) of Judge Moses's Individual Practices. It is the Court's practice to decide discovery disputes at the Rule 37.2 conference, based on the parties' letters, unless a party requests or the Court requires more formal briefing. Absent extraordinary circumstances, discovery applications made later than 30 days prior to the close of discovery may be denied as untimely.

3. For motions other than discovery motions, pre-motion conferences are not required, but may be requested where counsel believe that an informal conference with the Court may obviate the need for a motion or narrow the issues.

4. Requests to adjourn a court conference or other court proceeding (including a telephonic court conference) or to extend a deadline must be made in writing and in compliance with § 2(a) of Judge Moses's Individual Practices. Telephone requests for adjournments or extensions will not be entertained.

5. In accordance with § 1(d) of Judge Moses's Individual Practices, letters and letter-motions are limited to four pages, exclusive of attachments. Courtesy copies of letters and letter-

motions filed via ECF are required only if the filing contains voluminous attachments. Courtesy copies should be delivered promptly, should bear the ECF header generated at the time of electronic filing, and should include tabs for the attachments.

6. If you are aware of any party or attorney who should receive notice in this action, other than those currently listed on the docket sheet, please notify Courtroom Deputy Tamika Kay at (212) 805-0228 immediately.

7. Counsel for the plaintiff must serve a copy of this Order, by email, on all defendants who have not yet appeared in this action, and must file proof of such service with the Court.

Dated: New York, New York
December 16, 2024

SO ORDERED.



BARBARA MOSES
United States Magistrate Judge